IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.219 OF 2007
IN
SUMMARY SUIT NO. 808 OF 2006

Terraco India Pvt. Ltd. ... Plaintiff.

V/s.

M/s. A.K. Construction Co. & Ors. ... Defendants.

Mr. Chetan B. Raithatha i/b. Ashwinkumar & Co.for the Plaintiff.
Mr. A.S. Karwande for the Defendants 1 and 2.

CORAM : DR. D.Y. CHANDRACHUD,J.

18TH JUNE 2007.

P.C. :-

. Counsel appearing on behalf of the Defendants states that the Defendants are ready and willing to deposit an amount of Rs.87,000/- which is the amount which according to the Defendants is due and payable to the Plaintiff.

2. Having regard to the defence raised in the affidavit in reply, the Defendant is granted leave to defend the suit conditional on a deposit of an amount of Rs.87,000/- within a period of 4 weeks. The Plaintiff would be at liberty to withdraw the amount subject to furnishing a Bank Guarantee of a

Nationalised Bank which shall be kept alive during the pendency of the Suit. The Bank Guarantee shall be to the satisfaction of the Prothonotary and Senior Master. The Summons for Judgment is disposed of accordingly. This order is on the consent of the Counsel for the Plaintiff and Defendant.